

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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IN RE A2P SMS  
ANTITRUST LITIGATION

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THIS DOCUMENT RELATES TO:  
All Actions

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)  
) MASTER FILE: 12 CV 2656 (AJN)  
)  
) ECF Case  
)  
) **DECLARATION OF THOMAS J.**  
) **FREDERICK IN SUPPORT OF**  
) **DEFENDANTS' JOINT MOTION**  
) **TO ENFORCE ORDER**  
**AND TO COMPEL**  
**INDIVIDUAL ARBITRATION**

I, Thomas J. Frederick, hereby state as follows:

1. I am a partner with the law firm of Winston & Strawn LLP, counsel to Defendant Cellco Partners, d/b/a Verizon Wireless ("Verizon Wireless"), one of the Defendants in this action.

2. I submit this declaration in support of the Carrier Defendants<sup>1</sup> and CTIA—The Wireless Association ("CTIA") (collectively, "Defendants") Joint Motion to Enforce Order and to Compel Individual Arbitration.

3. Attached hereto as Exhibit 1 is a true and correct copy of the January 28, 2014 Demand for Arbitration filed by Claimants Club Texting, Inc., iSpeedbuy LLC, and Textpower Inc. (hereinafter "Claimants"), as well as the corresponding exhibits to the Demand.

4. Attached hereto as Exhibit 2 is a true and correct copy of a February 4, 2014 letter from Respondents AT&T Mobility LLC, Cellco Partnership d/b/a Verizon Wireless, CTIA-The Wireless Association, Sprint Nextel Corporation, T-Mobile USA, Inc., and U.S. Cellular Corporation (hereinafter "Respondents") to the American Arbitration Association regarding Claimants' Demand for Arbitration.

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<sup>1</sup> The Carrier Defendants are AT&T Mobility LLC, Cellco Partnership d/b/a Verizon Wireless, Sprint Nextel Corporation, T-Mobile USA, Inc., and U.S. Cellular Corporation.

5. Attached hereto as Exhibit 3 is a true and correct copy of a February 5, 2014 letter from Claimants to the American Arbitration Association regarding Claimants' Demand for Arbitration.

6. Attached hereto as Exhibit 4 is a true and correct copy of a February 5, 2014 letter from Respondents to the American Arbitration Association regarding Claimants' Demand for Arbitration.

7. Attached hereto as Exhibit 5 is a true and correct copy of a February 7, 2014 letter from Claimants to the American Arbitration Association regarding Claimants' Demand for Arbitration.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 11th day of February, 2014 in New York, New York.

/s/ Thomas J. Frederick  
Thomas J. Frederick  
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